IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	:	Group Art Unit: 2171
Margaret G. MacPhail	:	Examiner: C. L. Nguyen
Serial No: 10/042,107	:	Confirmation No. 6316
Filed: 01/08/2002	:	
Title: A NETWORK DATABASE	:	
SYSTEM FOR PROVIDING DATABASE	:	
OUTPUT IN A PLURALITY OF	:	
STRINGS OF SEQUENTIAL DATA	:	Customer No. 32,329
SEGMENTS THROUGH A USER	:	
INTERFACE WITH DIMENSIONS	:	
LIMITING THE DATA CAPACITY OF	:	
EACH SEGMENT		
Date: _09/02/08_	:	

REPLY BRIEF ON APPEAL
BEFORE THE BOARD OF APPEALS
AND INTERFERENCES

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Reply Brief to the Examiner's Answer mailed July 2, 2008. Applicants will address a new argument made by Examiner in the Answer.

In summary of the remaining issues of this Appeal, the present invention addresses the problem of optimizing data stored in a database so that it may be easily and conveniently used for the limited size i.e. small display

devices. Simply stated, the present <u>invention</u> addresses this problem by providing a database wherein different types of <u>data intended to be presented on small devices are stored</u> <u>in the database in the form of strings of sequential data</u> <u>segments, each segment having a content which fits the</u> <u>device display size.</u> When strings of segments of a data type are selected by a user at a display station, the strings of segments are provided by the database, and the segments in the string are sequentially displayed where they each fit the dimensions of the limited display.

With respect to a rejection of claims 1-3, 8-11, 13-15, 20-23, 25-27, and 32-35 as being unpatentable over Shin et al. (US6,674,439), under 35 U.S.C. 103(a), Applicants have argued that Shin does not suggest a database storing <u>a plurality of strings of sequential data segments, each</u> <u>string having a plurality of segments. Each segment of each</u> <u>of said plurality of strings of each of said different types</u> <u>of data has a content which fits the device display size.</u>

For the database in Shin, Examiner cites the system in Fig. 4. It should be noted that at column 11, lines 45-50, of Shin, the structure of Fig. 4 is described as corresponding to the data structures of cellular telephones 10 and 11. In addition, at column 2, lines 1-7, Shin recognizes that the storage capacity of such cellular telephones is severely limited. Thus, the storage capacity of the cellular telephone structure shown in Fig. 4 would be severely limited. The database required by the present invention which must store multiple strings of sequential data segments for each of a plurality of types of data, with each of the multiple strings having a plurality of segments.

Each segment of each of said plurality of strings of each of
said different types of data has a content which fits the
device display size. This is a great number of strings of
data which must stored in a database of very limited storage
capacity of the cellular telephone apparatus shown in Fig. 4
of Shin.

For the suggestion of the means for storing of a
plurality of strings of display interface limited segments,
the Examiner points to element 408, Fig. 4 in Shin. The
Internet images in Shin in Accumulation Image Storage Unit
408 have to be dynamically processed before any images are
output. There is not outputting of the claimed already
stored string of image segments at the user interface. The
Image Selecting Unit 409 first has to select one of the
images in Storage Unit 408. The Oversize Decision Unit 410
then has to compare the size of the selected image to an
already stored size in Size Storage Unit 404 desired for the
selected display unit. Finally, the image is resized if
necessary to the desired limited screen size, e.g. one
segment. This dynamic process in Shin of outputting of a
sequence of dynamically produced segments on a one by one
basis does not suggest outputting an already stored string
of segments already limited by the size of the computer
display as defined in the present claims.

With respect to the above argument by Applicants in
their Brief, Examiner concedes in the Answer (page 4, first
full paragraph) that Shin does not expressly show that the
storing means store different types of stored data, each
segment having a capacity limited by the predefined

dimensions of user interface. Examiner goes on to argue that these differences are only in the nonfunctional descriptive material of the Specification, and not recited in the claims.

Appellants disagree with Examiner's conclusion and submit that these differences are clearly set forth in the claims. Representative claim 1 does set forth:

"...a database .... including:
means for storing in said database data segments for each of the different types of stored data, each segment having a capacity limited by said predefined dimensions of said user interface; and
means for storing in said database a plurality of strings of said segments, each string including a sequence of segments of one different type of stored data;...."

The claims do expressly and completely include what Examiner has characterized as only non-functional descriptive material.

With respect to these differences merely being descriptive, Appellants submit that, as set forth hereinabove, the database required by the present invention which must store multiple strings of sequential data segments for each of a plurality of types of data, with each of the multiple string having a plurality of segments. Each segment of each of said plurality of strings of each of said different types of data has a content which fits the device display size. This great number of strings of data requires a database of great capacity which would not be suggested by very limited storage capacity of the cellular telephone apparatus shown in Fig. 4 of Shin. The Shin patent itself recognizes this limitation at column 2, lines 1-7 which states that the storage capacity of such cellular telephones is severely limited.
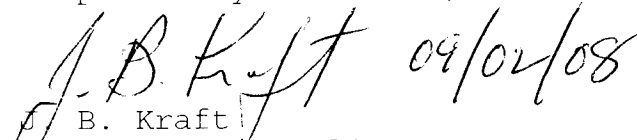
Accordingly, it is submitted that claims do expressly and completely include what Examiner has characterized as only non-functional descriptive material, and that the combination of elements in the material are not suggested by Shin and patentably distinguish the present claimed invention from the teachings of Shin.

In view of the foregoing and Applicants' arguments made in the Brief on Appeal, it is submitted that Claims 1-3, 8-11, 13-15, 20-23, 25-27, and 32-35 are unobvious over Shin et al. (US6,674,439), and that dependent claims 4-7, 12, 16-19, 24, 28-31, and 36 are unobvious over Shin in view of Guck (US5,864,870), and thus are patentable under 35 USC 103(a).

Therefore, it is respectfully requested that the Final Rejection of claims 1-36 dated December 21, 2005 be reversed, and that claims 1-36 be found to be in condition for allowance.

Respectfully submitted,

09/02/08

B. Kraft
Attorney for Applicants
Registration No. 19,226
(512) 473-2303

ALL CORRESPONDENCE SHOULD BE DIRECTED TO:

Jeffrey S. LaBaw
IPLaw Dept. - IMAD 4054
IBM Corporation
11400 Burnet Road
Austin, Texas 78758